

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA

In Re: Mathew Thomas Daivs
Kristie Dalton Davis

Debtors

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Motion and Notice
Chapter 13

No. B-09-81362 C-13D

The undersigned Standing Trustee respectfully moves the Court for an Order as follows:

The Debtors' Plan provides for Plan payments of \$1,481.00 per month and a 6.96% dividend to unsecured creditors. The Standing Trustee has reviewed the Debtors' Plan and the Plan payments require an increase in order to be completed within 60 months as required by 11 U.S.C. §1322(d).

The Standing Trustee respectfully recommends to the Court that an Order be entered modifying the Debtors' Plan to provide for Plan payments of \$1,653.00 per month effective with the payment due for January, 2011.

Date: December 3, 2010
ltp

s/Richard M. Hutson, II
Standing Trustee

NOTICE

TAKE NOTICE THAT any interested party who has an objection to the Motion MUST FILE A WRITTEN OBJECTION on or before January 3, 2011, with the parties named on the attached Parties to be Served list and with the U.S. Bankruptcy Court at the following address:

*101 S. Edgeworth Street
Greensboro, NC 27401*

If no objections are filed within the time period, the Court will consider this motion without a hearing. If objections are timely filed, a hearing on the motion will be held on January 13, 2011, at 11:00 a.m., at the following location:

*Courtroom,
Venable Center
Dibrell Building, Suite 280
302 East Pettigrew Street
Durham, NC 27701*

Date: December 3, 2010

OFFICE OF THE CLERK
U.S. Bankruptcy Court

PARTIES TO BE SERVED
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ALL PARTIES OF RECORD AS OF THE DATE OF THE ORDER SHALL BE SERVED BY THE
BANKRUPTCY NOTICING CENTER